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17 Attorneys for Plaintiff  
18 BRUCE KNIESPECK

19 **UNITED STATES DISTRICT COURT**  
20 **EASTERN DISTRICT OF CALIFORNIA (SACRAMENTO)**

21 ***E-FILING***

22 BRUCE KNIESPECK,

23 Plaintiff,

24 vs.

25 UNUM LIFE INSURANCE COMPANY OF  
26 AMERICA, et al.,

27 Defendants.

28 CASE NO. CIV.S 01-0878 WBS PAN

STIPULATION TO CONTINUE  
MARCH 16, 2009 HEARING ON  
DEFENDANT'S MOTION FOR  
RELIEF, AND [~~PROPOSED~~] ORDER  
THEREON

Original Date: March 16,  
2009

Proposed Date: May 4, 2009

29 **IT IS HEREBY STIPULATED** between the parties hereto, by and through their  
30 respective attorneys of record herein, that the hearing on Defendant UNUM Life Insurance  
31 Company of America's *Motion for Relief from Judgment and Order Awarding Costs, Interest*  
32 *and Attorney Fees to Plaintiff in Light of Appellate Court Reversal [Fed.R.Civ.P. 60]* be  
33 continued from March 16, 2009 to some time after May 4, 2009, at the Court's convenience.

1 Good cause exists therefor in that plaintiff Bruce Kniespeck filed a Petition for  
2 Rehearing, or for Rehearing *En Banc*, of the Ninth Circuit's January 14, 2009 decision, which  
3 reversed and vacated this Court's judgment, and that petition is pending. The stipulated  
4 continuance should allow sufficient time for the Ninth Circuit to determine whether to grant or  
5 deny plaintiff's petition.

6 Respectfully submitted.

7 RIMAC & MARTIN  
8 *A Professional Corporation*

9 DATED: March 3, 2009

By: /s/ KEVIN G. GILL  
ANNA M. MARTIN  
KEVIN G. GILL  
Attorneys for Defendant  
UNUM LIFE INSURANCE COMPANY  
OF AMERICA

13 deVRIES LAW FIRM

15 DATED: February 26, 2009

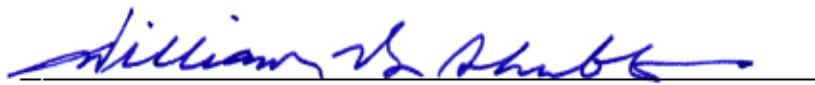
By: /s/ DOUGLAS deVRIES  
DOUGLAS K. deVRIES  
Attorneys for Plaintiff  
BRUCE KNIESPECK

18 **ORDER**

19 IT IS HEREBY ORDERED that the hearing on defendant's *Motion for Relief from*  
20 *Judgment and Order Awarding Costs, Interest and Attorney Fees* in this matter be continued  
21 from March 16, 2009 to **May 11, 2009 at 2:00 p.m.** in Courtroom 5.

22 **SO ORDERED.**

23 DATED: March 2, 2009

24   
25 WILLIAM B. SHUBB  
26 UNITED STATES DISTRICT JUDGE  
27  
28